# VIOLENCE AGAINST WOMEN

***"Violence is defined as any act, omission, controlling behaviour or threat, in any sphere, which results in, or is likely to result in, physical, sexual or psychological injury to women."***

***—Draft Declaration on Violence against Women Recommended by 1991 UN Expert Group Meeting***

## VIOLENCE AGAINST WOMEN: A VIOLATION OF HUMAN RIGHTS

"Violence against women in the family and society is pervasive and cuts across lines of income, class and culture." This statement is contained in the Draft Declaration on Violence against Women prepared by an Expert Group Meeting on this subject. The meeting was sponsored by the United Nations Division for the Advancement of Women and held at Vienna from 11 to 15 November 1991.

There are many variations on this vicious theme, ranging from the most subtle and indirect to the most blatant, including:

- *verbal abuse*
- *psychological/emotional abuse*
- *economic deprivation*
- *sexual harassment*
- *prostitution*
- *female infanticide*
- *genital mutilation*
- *battery*
- *rape*
- *murder*

That such abuse transcends all boundaries is evidenced by the following excerpts from a recent UN publication on women:[1]

▸ India had 999 registered cases of dowry deaths in 1985, 1,319 in 1986 and 1,786 in 1987.

▸ In Austria in 1985, domestic violence against the wife was cited as a contributing factor to the breakdown of the marriage in 59 per cent of 1,500 divorce cases.

▸ In the United Kingdom there were 1,334 rapes recorded in 1983, 1,433 in 1984 and 1,842 in 1985. More violations were reported, apparently due in part to a more sympathetic and understanding treatment by police.

▸ Of 153 Kuwaiti women asked if they had ever been assaulted, one-third answered yes. Asked if they knew of friends or relatives who had been victims of such violence, 80 per cent said yes.

▸ In Trinidad and Tobago from 1970 to 1980, the population increased 28 per cent, but the number of men charged with rape rose 134 per cent.

Below are more facts and figures, followed by some quotes which reflect the attitudes that foster violence against women, taken from another UN publication on women:[2]

▸ In parts of Papua New Guinea, 67 per cent of women are victims of marital violence.

▸ One in seven wives in the United Kingdom has been raped by her spouse.

▸ In India, five women are burned in dowry-related disputes each day.

▸ In the United States, a woman is beaten every 18 minutes; between 3 and 4 million are battered each year.

Why such globally pervasive violence? Its source seems to lie in the firmly entrenched patriarchal traditions and attitudes which have been passed on for generations. For example,

▸ "A woman's heaven is under her husband's feet." (Bengali proverb)

▸ The gist of a Spanish riddle is:

"Question: What do mules and women have in common?

Answer: A good beating makes them both better".

▸ "A little rape is good for a man's soul." (American author Norman Mailer)

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[1] Source: *The World's Women: 1970-1990* (UN Sales Publication E.90.XVIII.3)

[2] Source: *Women: Challenges to the Year 2000* (UN Sales Publication: E.91.I.21)

Rutgers University Centre for Women's Global Leadership published the following statistics in conjunction with a campaign called "16 Days of Activism Against Gender Violence", from 25 November to 10 December (Human Rights Day) 1991:[3]

- In Latin America, one Mexican study states that 61 per cent of housewives are battered, while a Chilean study shows that 80 per cent of women have suffered physical, emotional or sexual abuse.
- In the U.S.A., 4,000 women are beaten to death each year by their partners, and a woman is raped every six minutes.
- In Africa, 80 million women have endured sexual mutilation.
- In France, 95 per cent of victims of violence are women, 51 per cent at the hands of a spouse or lover.

## THE TIP OF THE ICEBERG

These data represent only the tip of a much larger iceberg. Many criminologists believe that domestic violence against women is perhaps the most underreported crime, because disputes within the privacy of the family, even if they involve outright physical abuse, are often not perceived as criminal acts, either by the perpetrators, by the victims themselves or by the legal system. Recently, however, some countries have made domestic violence a minor assault, thereby enabling the police legally to intervene. For example, Brazil's ongoing efforts to curb such crimes through the establishment of police stations staffed with women officers who specialize in violent crimes against women was first reported in a 1986 United Nations expert group meeting on violence.

Rape is another crime which goes largely underreported, due to the social stigma, the "legal difficulties" and the contempt shown towards rape victims in many societies. Progress is slow, but there are now a few countries, including Czechoslovakia, Denmark, Poland, the former Soviet Union and Sweden, which have made even marital rape a crime, thus reflecting a far more active stance in protecting women both inside and outside marriage.

Internationally, there has been an increasing conviction that violence violates women's basic human rights. There is also a growing awareness that an international framework is needed to address this issue effectively.

## THE UN ROLE IN ELIMINATING VIOLENCE AGAINST WOMEN

Since its inception, the United Nations has recognized that "human rights are also women's rights". Below are some noteworthy examples of the UN's actions to protect women against abuse:

### 1948

The United Nations *Universal Declaration of Human Rights* states that everyone has the right to life, liberty and security of person (Article 3), and that no one shall be subject to torture or to cruel, inhuman or degrading treatment (Article 5).

### 1966

The *International Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights* both have provisions barring all forms of discrimination in the exercise of human rights. While the Declaration is a manifesto with primarily moral authority, the Covenants are international treaties binding on all ratifying States.

### 1979

The *Convention on the Elimination of All Forms of Discrimination against Women* guarantees equal rights to women in the civil, legal and reproductive context. It recognizes that violence against women constitutes a form of discrimination.

### 1984

The *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* was adopted.

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[3] Source: Centre for Women's Global Leadership. Rutgers/Douglass College, New Jersey, USA.

**1989**

A book on *Violence against Women in the Family* was produced by the United Nations Division for the Advancement of Women.

**1990**

The *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders* discussed the issue of violence against women, based on the Report of the Secretary-General (A/CONF.144/17 of 20 July 1990). This Report states that violence against women is a result of the power imbalance between men and women, and that violence serves to sustain this imbalance.

**1991**

An *Expert Group Meeting on Violence against Women* was convened at Vienna in November 1991. It discussed the preparation of an international instrument in the form of a *Declaration* to serve as a blueprint for defining and dealing with the problem. This instrument would also serve as a legal framework for countries to incorporate into national legislation.

## DEFINING VIOLENCE

Violence against women is partially a manifestation of historically unequal power relations between the sexes which has led to domination of and discrimination against women and consequently to the prevention of their advancement. For all its comprehensiveness in other realms, the 1979 *Convention on the Elimination of All Forms of Discrimination against Women* did not explicitly address this issue. However, the Committee monitoring the Convention requested States parties to report on violence against women—both the harm done to the individual woman and the adverse consequences for society as a whole.

In elaborating their proposed definition of violence as "any act, omission, controlling behaviour or threat, in any sphere, which results in, or is likely to result in, physical, sexual or psychological injury to women", the experts identified examples of such behaviour, encompassing, but not limited to:

- "physical, sexual and psychological violence occurring in the family, including wife battering, incest, dowry-related violence, marital rape, female circumcision, non-spousal violence, financial discrimination and exploitation;
- "physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation in the work place, trafficking in women and forced prostitution and degrading representation of women in the media;
- "physical, sexual and psychological violence perpetrated or condoned by the State wherever it occurs."

## A TOUGH BATTLE: MAKING IT HAPPEN

The book *Women: Challenges to the Year 2000* captures the gravity of the problem in its observation that "a woman's right to be free from danger and fear for her personal safety within the home, the workplace and society is likely to be the toughest battle women will wage in the 1990s".

The very plethora of types of violence against women is itself evidence of the need to halt such pervasive mistreatment of other human beings. Eradication of this problem will demand a concerted effort on the part of individuals, nations and the entire international community.

In response, the Expert Group Meeting has called for action: namely, that the Commission on the Status of Women at its 1992 session consider recommending that a *Declaration on Violence against Women* be adopted by the General Assembly. It has also suggested the possibility of a special thematic rapporteur on violence against women and, if necessary, an Optional Protocol to the Convention or even a totally separate Convention on Violence against Women.

Finally, it called upon all nations and the international community as a whole to make a clear commitment to eradicate acts of violence against women which constitute such an obstacle to their achievement of equality, development and peace as envisaged in the 1985 *Nairobi Forward-looking Strategies for the Advancement of Women to the Year 2000*.

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